

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS**

In Re: ) Bankruptcy Case No. 14-43040  
)  
Richard S. Zachary, ) Chapter 7  
)  
Debtor. ) Honorable Jack B. Schemetterer  
)

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ASHMAN & STEIN,

Plaintiff,

vs.

RICHARD S. ZACHARY,

Defendant.

Adversary No. 15-00132

**FILED**  
UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS

JUL 16 2015

**NOTICE OF MOTION**

JEFFREY P. ALLSTEADT, CLERK  
PS REP. - DDS

**TO:** Adam M. Mergenthaler  
ASHMAN & STEIN  
150 N. Wacker Drive, Suite 3000  
Chicago, Illinois 60606

Please take notice that **on July 23, 2015, at 10:00 a.m.** or as soon thereafter as the matter can be heard, I will appear before the Hon. Jack B. Schmetterer, in courtroom 682 of the U.S. Bankruptcy Court for the Northern District of Illinois, and shall then and there present **Defendant's motion for a second extension within which to file his Reply in support of his Motion to Dismiss**, a copy of which is herewith served upon you.

**PROOF OF SERVICE**

The undersigned certifies that this Notice and any referenced documents were served upon the above-named recipient by electronic and/or facsimile transmission on July 16, 2015.

Richard S. Zachary  
DEFENDANT (pro se)  
2117 W. Grand Avenue  
Chicago, Illinois 60612  
Phone: (312) 404-0785

  
Richard S. Zachary

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**DEFENDANT'S MOTION FOR SECOND EXTENSION TO FILE REPLY IN SUPPORT  
OF RULE 12(b) MOTION TO DISMISS**

Now comes Defendant Richard Zachary, and moves for an extension to July 23, 2015 within which to file his Reply in support of his motion to dismiss Plaintiff Ashman & Stein's amended complaint. In support of his motion, Defendant states as follows:

1. On or about July 2, 2015, the Court entered an Order extending the deadline for Defendant to file his Reply in support of his pending Rule 12(b) Motion to Dismiss to July 16, 2015.
2. Since the entry of said Order, Defendant has exhibited symptoms of a flu-like virus, running a febrile temperature and being consequently unable to focus for extended periods of time on the completion of his case-related responsibilities.
3. As a consequence of the foregoing inadvertent factors, as of today's date [July 16, 2015], Defendant has been unable to complete his Reply in support of his pending Rule 12(b) Motion to Dismiss.

4. Defendant has no recourse but to request a second extension of the deadline within which to file his Reply in support of his motion to dismiss, to July 23, 2015.

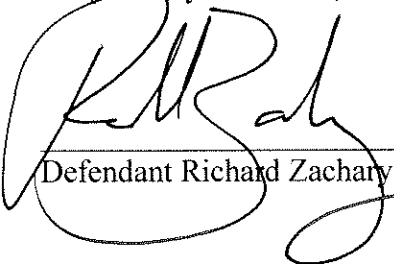
5. Defendant is reasonably confident that his health will have been restored, on or prior to said date, to permit him to complete and file his Reply on or prior to the presentation date [July 23, 2015] of this motion.

WHEREFORE, Defendant Richard S. Zachary requests the following relief of this Honorable Court:

A. For a second extension of the deadline to file his Reply in support of his motion to dismiss, to July 23, 2015;

B. For such other or further relief as the Court may deem appropriate.

Respectfully submitted,



Defendant Richard Zachary

Richard S. Zachary  
DEFENDANT (pro se)  
2117 W. Grand Ave.  
Chicago, Illinois 60612  
Phone: (312) 404-0785  
Fax: (312) 795-9004